

TITLE 5. Education
Division 1. State Department of Education
Chapter 11. Special Programs
Subchapter 7.5. California English Language Development Test
Article 1. General

Amend Sections 11510, 11511, 11511.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, and 11517 to read:

§11510. Definitions.

For the purposes of the test required by Education Code Section 313(a), referred to as the California English Language Development Test, the following definitions shall apply:

(a) "Accommodation" is any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores.

"Accommodations" may include variations in scheduling, setting, aids, equipment, and presentation format.

(b)(a) An "administration" means a pupil's attempt to take all sections of the California English Language Development Test, including ~~speaking~~, listening, speaking, reading, and writing.

(c) "Alternate Assessment" is the alternate means to measure the English language proficiency of pupils with disabilities whose Individualized Education Program Team has determined that they are unable to participate in the California English Language Development Test even with accommodations or variations.

(d)(b) "Annual assessments" are administrations of the California English Language Development Test to enrolled pupils who are currently identified as English learners.

(e)(c) "Annual assessment window" means the period of time designated by the Superintendent of Public Instruction and the State Board of Education for the annual assessments conducted using the California English Language Development Test begins on July 1 and ends on October 31 of each school year. Initial assessments, as defined in subdivision (g), may be administered during the annual assessment window.

(f)(d) "Date of first enrollment" is the date on which the pupil is scheduled to be in attendance in a California public school for the first time. "Eligible pupil" means one who is enrolled in a California public school in kindergarten or any of grades 1 through 12 with a native language other than English or who is currently identified as an English learner.

(g) "Excessive materials" is the difference between the sum of the number of tests scored and 90 percent of the tests ordered by the district.

1 ~~(h)(e)~~ "Grade level" ~~means~~ is the grade assigned to the pupil by the school district.

2 ~~(i)(f)~~ "Home language survey" is a form administered by the school district to be completed
3 by the pupil's parent or guardian at the time of first enrollment in a California public school
4 indicating language use in the home ~~by the pupil or family~~ which, if completed, ~~would fulfill~~ the
5 school district's obligation required by Education Code ~~s~~Section 52164.1.

6 ~~(j)(g)~~ "Initial assessment" ~~is the~~ are administrations of the California English Language
7 Development Test to a pupils who are identified as having a native language other than English,
8 ~~based on the home language survey, and for whom there is no record of English language~~
9 ~~development assessment results whose primary language is other than English, as determined~~
10 by the Home Language Survey, and who has not previously been assessed for English
11 language proficiency in a California public school.

12 (k) "Modification" is any variation in the assessment environment or process that
13 fundamentally alters what the test measures or affects the comparability of scores.

14 (l) "Primary" language is the language first learned by the pupil, most frequently used at
15 home, or most frequently spoken by the parents or adults in the home.

16 (m) "Proctor" is an employee of a school district who has received training specifically
17 designed to prepare him or her to assist the test examiner in administration of the California
18 English Language Development Test.

19 (n) "Records of results" are:
20 (1) Student test results from the pupil's cumulative file;
21 (2) Parent notification letter of student results;
22 (3) Previous or current school district pupil electronic data files;
23 (4) Student Proficiency Level Reports; and
24 (5) Verification from prior school district.

25 ~~(o)(h)~~ "School district" is a :
26 (1) School district;
27 (2) County office of education; ~~and any~~
28 (3) Charter school that does not elect to be part of the school district or county office of
29 education that granted the charter, and any
30 (4) Charter school chartered by the State Board of Education.

31 (p) "Scribe" is an employee of the school district, or a person assigned by a nonpublic
32 school to implement a pupil's Individualized Education Program (IEP) and is required to
33 transcribe a pupil's responses to the format required by the test. The pupil's parent or guardian
34 is not eligible to be a scribe.

35 (q) "Test" is the California English Language Development Test.

1 (r) "Test Examiner" is an employee of the school district who is proficient in English and has
2 received training specifically designed to prepare him or her to administer the California English
3 Language Development Test.

4 (s)(i) "Test materials" are materials necessary for administration of the California English
5 Language Development Test, including but not limited to audio-cassettes, test manuals, pupil
6 test booklets, forms for recording pupil responses and background information, video tapes,
7 answer keys, and scoring rubrics.

8 (t) "Variation" is a change in the manner in which a test is presented or administered, or in
9 how a test taker is allowed to respond, and includes, but is not limited to, accommodations and
10 modifications.

11 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, 52164.1
12 and 60810, Education Code.
13

14 **Article 2. Administration**

15 **§11511. English Language Development Initial and Annual Assessments.**

16 (a) Initial assessments shall be administered as follows:

17 (1)(a) Any pupil whose native primary language is other than English as determined by the
18 home language survey and who has not previously been identified as an English Learner by a
19 California public school or for whom there is no record of results from an administration of an
20 English language development proficiency test, shall be assessed for English language
21 proficiency with the California English Language Development Test within 30 calendar days
22 after the date of first enrollment in the school district a California public school, or within 60
23 calendar days before the date of first enrollment, but not before July 1 of that school year.

24 (b) Annual assessments shall be administered as follows:

25 (b) The English language development proficiency of all currently enrolled English learners
26 shall be assessed by administering the California English Language Development Test during
27 the annual assessment window.

28 (c) Both Initial and Annual assessments shall be administered:

29 (c) The school district shall administer test in accordance with the test publisher's
30 contractor's directions, except as provided for in by Sections 11516.5, 11516.5 and 11516.6.

31 (d) For both Initial and Annual assessments If the school district places an order for tests for
32 any school that is excessive, the school district is responsible for the cost of materials for the
33 difference between the sum of the number of pupil tests scored and 90 percent of the tests
34 ordered. the school district is responsible for the cost of excessive materials ordered by the
35 school district. In no event shall the cost to the school district for replacement or excessive

materials exceed the amount per test booklet and accompanying material that is paid to the test publisher contractor by the California Department of Education as part of the contract with the test publisher contractor for the current year.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 306 (a), 313 and 37200, Education Code.

§11511.5. Reporting to Parents.

For each pupil assessed using the California English Language Development Test, each school district shall notify parents or guardians of the pupil's results within 30 calendar days following receipt of results of testing from the test publisher contractor. ~~Such~~ The notification shall comply with the requirements of Education Code Section 48985.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306 (a), 313 and 48985, Education Code.

§11512. District Documentation and Pupil Records.

(a) The school district shall maintain a record of all pupils who participate in each administration of the California English Language Development Test. This record shall include the following information for each administration:

- (1) The name of each pupil who took the test.
- (2) The grade level of each pupil who took the test.
- (3) The date on which the administration of the test was completed for each pupil.
- (4) The test results obtained for each pupil.

(b) The school district shall enter in each pupil's record the following information for each administration of the test:

- (1) The date referred to by subdivision (a)(3).
- (2) The pupil's test results.

(c) The record required by subdivision (a) shall be created and the information required by subdivision (b) of this section shall be entered in each pupil's record prior to the subsequent administration of the California English Language Development Test.

(d) In order to comply with the accountability requirements under Title III of No Child Left Behind, part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-110), whenever a pupil transfers from one school district to another, the pupil's CELDT records including the information specified in Section 11512(a) shall be transferred by the sending district within 20 calendar days upon a request from the receiving district where the pupil is now enrolled.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306 (a), 313(b),
49068 and 60810(d), Education Code.

§11512.5. Data for Analysis of Pupil Proficiency.

(a) Each school district shall provide the ~~publisher~~ contractor of the California English Language Development Test the following information for each pupil tested for purposes of the analyses and reporting required pursuant to Education Code sections 60810(c) and 60812, and for accountability requirements under Title III of No Child Left Behind, Part A, Section 3122 of the Elementary and Secondary Education Act (Public Law 107-110):

(1) Pupil's full name;

(2)(4) Date of birth;

(3) County, district, school code;

(4)(2) Date that testing is was completed;

(5)(3) Grade level;

(6)(4) Gender;

(7)(5) Native Primary language;

~~(6) English language fluency, if known;~~

(8)(7) ~~Special p~~Program participation;

(9)(8) Special education and 504 plan status;

(10) Primary Disability or Handicapping condition ;

~~(9) Nonstandard Test administration;~~

(11)(40) Ethnicity;

(12)(44) Time Year first enrolled in a United States schools; and

(13)(12) ~~District and s~~School mobility;

(14) CELDT scores from the previous administration;

(15) Purpose: an initial assessment or an annual assessment;

(16) Grade level from the previous CELDT administration;

(17) Test modifications and/or accommodations;

(18) Alternate Assessment(s); and

(19) California School Information Services identifier beginning July 1, 2004.

(b) The demographic information required by subdivision (a) is for the purposes of aggregate analyses and reporting only.

~~(c) School districts shall provide the same information for each eligible pupil enrolled in an alternative or off-campus program as is provided for all other eligible pupils.~~

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313, 60810 and 60812, Education Code.

§11513. California English Language Development Test District Coordinator.

(a) ~~Sixty~~ Ninety calendar days before the beginning of the annual assessment window of each school year, the superintendent of each school district shall designate from among the employees of the school district a California English Language Development Test district coordinator. The superintendent shall notify the ~~publisher~~ contractor ~~of for~~ the California English Language Development Test of the identity and contact information for the California English Language Development Test district coordinator. The California English Language Development Test district coordinator, or the school district superintendent or his or her designee, shall be available throughout the year and shall serve as the liaison between the school district and the California Department of Education for all matters related to the California English Language Development Test.

(b) The California English Language Development Test district coordinator's responsibilities shall include, but are not limited to, the following:

(1) Responding to correspondence and inquiries from the ~~publisher~~ contractor in a timely manner and as provided in the ~~publisher's~~ contractor's instructions.

(2) Determining school district and individual school test and test material needs in conjunction with the test ~~publisher~~ contractor.

(3) Overseeing the acquisition and distribution of tests and test materials to individual schools and sites.

(4) Maintaining security over the California English Language Development Test and test data using the procedure set forth in Section 11514. The California English Language Development Test district coordinator shall sign the Test Security Agreement set forth in Section 11514 prior to receipt of the test materials.

(5) Overseeing the administration of the California English Language Development Test to ~~eligible~~ pupils.

(6) Overseeing the collection and return of all test materials and test data to the ~~publisher~~ contractor.

(7) Assisting the test ~~publisher~~ contractor in the resolution of any discrepancies in the test information and materials.

(8) Ensuring that all test materials are received from school test sites within the school district in sufficient time to satisfy the requirements of subdivision (10).

1 (9) Ensuring that all tests and test materials received from school test sites within the school
2 district have been placed in a secure school district location upon receipt of those tests.

3 (10) Ensuring that all test materials are inventoried, packaged, and labeled in accordance
4 with instructions from the ~~publisher~~ contractor. The test materials shall be returned to the test
5 contractor no more than ten (10) working days after the close of the testing window for the
6 annual assessment, and at the date specified monthly by the test contractor for initial
7 assessments of pupils.

8 (11) Ensuring that the California English Language Development Tests and test materials
9 are retained in a secure, locked location, in the unopened boxes in which they were received
10 from the test ~~publisher~~ contractor, from the time they are received in the school district until the
11 time they are delivered to the test sites.

12 (c) The California English Language Development Test district coordinator shall certify to the
13 California Department of Education at the time of each shipment of materials to the ~~publisher~~
14 contractor that the school district has maintained the security and integrity of the test, collected
15 all data and information as required, and returned all test materials, answer documents, and
16 other materials included as part of the California English Language Development Test in the
17 manner and as otherwise required by the ~~publisher~~ contractor.

18 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810
19 (d), Education Code.

20
21 **§11513.5. California English Language Development Test Site Coordinator.**

22 (a) Annually, the superintendent of the school district shall designate a California English
23 Language Development Test site coordinator for each test site, including, but not limited to,
24 each charter school, each court school, and each school or program operated by a school
25 district, from among the employees of the school district. The California English Language
26 Development Test site coordinator, or the site principal or his or her designee, shall be available
27 to the California English Language Development Test district coordinator for the purpose of
28 resolving issues that arise as a result of the administration of the California English Language
29 Development Test.

30 (b) The California English Language Development Test site coordinator's responsibilities
31 shall include, but not be limited to, all of the following:

32 (1) Determining site test and test material needs.

33 (2) Arranging for test administration at the site.

34 (3) Completing the Test Security Agreement and Test Security Affidavit prior to the receipt of
35 test materials.

1 (4) Overseeing test security requirements, including collecting and filing all Test Security
2 Affidavit forms from the test examiners and other site personnel involved with testing.

3 (5) Maintaining security over the test and test data as required by Section 11514.

4 (6) Overseeing the acquisition of tests from the school district and the distribution of tests to
5 the test ~~administrator(s)~~ examiner(s).

6 (7) Overseeing the administration of the California English Language Development Test to
7 eligible pupils at the test site.

8 (8) Overseeing the collection and return of all testing materials to the California English
9 Language Development Test district coordinator.

10 (9) Assisting the California English Language Development Test district coordinator and the
11 test ~~publisher~~ contractor in the resolution of any discrepancies between the number of tests
12 received from the California English Language Development Test district coordinator and the
13 number of tests collected for return to the California English Language Development Test
14 district coordinator.

15 (10) Overseeing the collection of all pupil data required by Sections 11512 and 11512.5.

16 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and
17 60810(d), Education Code.

18
19 **§11514. Test Security.**

20 (a) The California English Language Development Test site coordinator shall ensure that
21 strict supervision is maintained over each pupil while the pupil is being administered the
22 California English Language Development Test.

23 (b) Access to the California English Language Development Test materials is limited to
24 pupils being administered the California English Language Development Test and employees of
25 the school district directly responsible for administration of the California English Language
26 Development Test.

27 (c) All California English Language Development Test district and test site coordinators shall
28 sign the California English Language Development Test Security Agreement set forth in
29 subdivision (d).

30 (d) The California English Language Development Test Security Agreement shall be as
31 follows:

32 CALIFORNIA ENGLISH LANGUAGE DEVELOPMENT TEST
33 TEST SECURITY AGREEMENT

1 (1) I will take all necessary precautions to safeguard all tests and test materials by limiting
2 access to persons within the school district with a responsible, professional interest in the test'
3 security.

4 (2) I will keep on file the names of persons having access to tests and test materials. I will
5 require all persons having access to the material to sign the California English Language
6 Development Test Security Affidavit that will be kept on file in the school district office.

7 (3) I will keep the tests and test materials in a secure, locked location, limiting access to only
8 those persons responsible for test security, except on actual testing dates.

9 By signing my name to this document, I am assuring that I ~~and anyone having access to the~~
10 ~~test materials~~ will abide by the above conditions.

11 By: _____

12 Title: _____

13 School District: _____

14 Date: _____

15 (e) Each California English Language Development Test site coordinator shall deliver the
16 tests and test materials only to those persons actually administering the California English
17 Language Development Test on the date of testing and only upon execution of the California
18 English Language Development Test Security Affidavit set forth in subdivision (g).

19 (f) All persons having access to the California English Language Development Test,
20 including but not limited to the California English Language Development Test site coordinator,
21 ~~test administrators-examiners~~, and test proctors, shall acknowledge the limited purpose of their
22 access to the test by signing the California English Language Development Test Security
23 Affidavit set forth in subdivision (g).

24 (g) The California English Language Development Test Security Affidavit shall be completed
25 by each test examiner and test proctor:

26 CALIFORNIA ENGLISH LANGUAGE DEVELOPMENT TEST
27 SECURITY AFFIDAVIT

28 I acknowledge that I will have access to the California English Language Development Test
29 for the purpose of administering the test. I understand that these materials are highly secure,
30 and it is my professional responsibility to protect their security as follows:

31 (1) I will not divulge the contents of the test to any other person.

32 (2) I will not copy any part of the test or test materials.

33 (3) I will keep the test secure until the test is actually distributed to pupils.

34 (4) I will limit access to the test and test materials by test examinees to the actual testing
35 periods.

- 1 (5) I will not permit pupils to remove test materials from the room where testing takes place.
- 2 (6) I will not disclose, or allow to be disclosed, the contents of, or the scoring keys to, the
3 test instrument.
- 4 (7) I will return all test materials to the designated California English Language Development
5 Test site coordinator upon completion of the test.
- 6 (8) I will not interfere with the independent work of any pupil taking the test and I will not
7 compromise the security of the test by means including, but not limited to:
- 8 (A) Providing ~~eligible~~ pupils with access to test questions prior to testing.
- 9 (B) Copying, reproducing, transmitting, distributing or using in any manner inconsistent with
10 test security all or any portion of any secure California English Language Development Test
11 booklet or document.
- 12 (C) Coaching ~~eligible~~ pupils during testing or altering or interfering with the pupil's responses
13 in any way.
- 14 (D) Making answer keys available to pupils.
- 15 (E) Failing to follow security rules for distribution and return of secure tests as directed, or
16 failing to account for all secure test materials before, during, and after testing.
- 17 (F) Failing to follow test administration directions specified in test administration manuals.
- 18 (G) Participating in, directing, aiding, counseling, assisting in, or encouraging any of the acts
19 prohibited in this section.
- 20 Signed: _____
- 21 Print Name: _____
- 22 Position: _____
- 23 School: _____
- 24 School District: _____
- 25 Date: _____
- 26 (h) To maintain the security of the California English Language Development Test, all
27 California English Language Development Test district and test site coordinators are
28 responsible for inventory control and shall use appropriate inventory control forms to monitor
29 and track test inventory.
- 30 (i) The security of the test materials that have been duly delivered to the school district by
31 the test ~~publisher~~ contractor is the sole responsibility of the school district until all test materials
32 have been inventoried, accounted for, and delivered to the common or private carrier
33 designated by the test ~~publisher~~ contractor.
- 34 (j) Secure transportation within a school district is the responsibility of the school district
35 once materials have been duly delivered to the school district by the test ~~publisher~~ contractor.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 313, Education Code.

Article 3. California English Language Development Test Variations/Accommodations
§ 11516. Variations Timing/Scheduling.

All pupils shall have sufficient time to complete the test as provided in the directions for test administration.

(a) School district may provide all pupils the following variations:

(1) Test directions that are simplified or clarified in English for the Reading and Writing sections.

(b) School districts may provide all pupils the following variations if regularly used in the classroom:

(1) Special or adaptive furniture;

(2) Special lighting or acoustics;

(3) An individual carrel or study enclosure; and

(4) Markers, masks, manipulative devices or other means to maintain visual attention to the examination or test items consistent with contractor's test directions.

(c) In addition to the variations listed in Section 11516 (a) and (b), a pupil's IEP Team may determine variations based on the pupil's unique needs pursuant to definition Section 11516.5.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306, 313, and ~~60840~~ (d) 37200, Education Code.

§ 11516.5. Pupils with Disabilities Accommodations.

(a) Pupils with disabilities shall be permitted to take the California English Language Development Test with those accommodations listed in subsections (b) through (e), if specified in the for testing that the pupil has regularly used during instruction and classroom assessments as delineated in the pupil's IEP or 504 plan for use on the California English Language Development Test, standardized testing, or for use during classroom instruction and assessments that are appropriate and necessary to address the pupil's identified individual needs.

(b) Presentation accommodations:

(1) Braille transcriptions provided by the test contractor, or designee.

(2) Large print versions reformatted from regular print version;

(3) Test items enlarged through electronic means;

(4) Audio or oral presentation of questions or items for the writing section;

1 (5) Use of Manually Coded English or American Sign Language to present directions for
2 administration; and

3 (6) Use of Manually Coded English or American Sign Language to present test questions for
4 the writing section.

5 (c) Response accommodations:

6 (1) For grades 3-12, Listening, Reading and Writing sections, student marks responses in
7 test booklet and the responses are transferred to the answer document by a school or school
8 district employee who has signed the Test Security Affidavit;

9 (2) For grades 2-12, Listening, Reading and Writing sections, responses dictated to a scribe
10 for selected response items or multiple-choice items;

11 (3) For kindergarten and grades 1-12, Speaking section, responses dictated to a scribe for
12 selected response items or multiple-choice items;

13 (4) For the Writing section, responses dictated to a scribe, audio recorder or speech to text
14 converter and the pupil indicates all spelling and language conventions; and

15 (5) For the Writing section, use word processing software with the spell and grammar check
16 tools turned off.

17 (d) For the Writing section, use of an assistive device that does not interfere with the
18 independent work of the pupil.

19 (e) Setting accommodations include:

20 (1) Test at home or in hospital, by a test examiner.

21 (f) In addition to the accommodations listed, in Section 11516.5 listed in subsections (b)
22 through (e), a pupil's IEP Team may determine accommodations based on the pupil's unique
23 needs pursuant to definition 11516.5

24 NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 306(a), 313, and
25 ~~60810(d)~~ 37200, Education Code.

26
27 *Add Section 11516.6 to read:*

28 **§ 11516.6. Modifications/Alternate Assessments for Pupils with Disabilities.**

29 (a) A pupil's language proficiency cannot be measured by administration of the CELDT with
30 modifications. Modifications are not permitted in the administration of the test.

31 (b) Pupils with disabilities who are unable to participate in the CELDT with accommodations
32 or variations shall be administered alternate assessments for English language proficiency as
33 determined by the pupil's IEP team.

(c) Pupils who participate in the California English Language Development Test Program using alternate assessment procedures shall receive a score marked not valid for the sections of the test in which alternate assessments were administered.

NOTE: Authority cited: Section 33031, Education Code. Reference: 34CFR Section 300.138 (b)(1)(2).

Amend Section 11517 to read:

Article 4. Apportionment

§11517. Apportionment Reporting Schedule.

(a) Each school district shall report to the California Department of Education the unduplicated count of the number of pupils to whom the California English Language Development Test was administered for annual or initial assessment from November 1, 2002 through June 30, 2003. Thereafter, each school district shall report the unduplicated count of the number of pupils to whom the California English Language Development Test was administered for annual or initial assessment during the twelve-month period prior to June 30 of each year.

(b) The superintendent of each school district shall certify the accuracy of all information submitted to the California Department of Education.

(c) The report for the twelve month period prior to June 30 of each year required by subdivision (a) shall be postmarked and filed with the State Superintendent of Public Instruction ~~within thirty (30) calendar days after June 30 of each year~~ no later than October 15. Reports postmarked after October 15 must be accompanied by a waiver request as provided by Education Code Section 33050. Reports postmarked after June 30 of the following fiscal year will not be processed.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 313 and 60810, Education Code.

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